

1 Honorable Ronald B. Leighton
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10 UNITED STATES DISTRICT COURT
11 FOR THE WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 CYNTHIA FAJARDO,
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15 Plaintiff,

16 NO. C08-5136 RBL
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18 vs.
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20 PIERCE COUNTY, a political subdivision of
21 the State of Washington; and PIERCE
22 COUNTY SHERIFF'S DEPARTMENT, a
23 department of Pierce County,
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25 Defendants.

STIPULATED PROTECTIVE ORDER
CONCERNING IME RECORDS

17 THIS MATTER comes before the court upon the agreement of counsel. By their
18 execution of this Stipulated Protective Order, the parties have agreed as follows:

20 1. All copyrighted material contained with the IME discovery shall be kept
21 confidential by the discovering party, provided that the party may disclose the documents to
22 experts, consultants, and witnesses, as necessary, in order to prepare for trial of this matter.
23 The copyrighted material at issue is at pages 7546, 7547, and 7548 of the discovery. This
24 material consists of: (1) a questionnaire with 21 groups of statements; and (2) a questionnaire
25 concerning 21 common symptoms of anxiety.

2. This order in no way affects the right of a party to use documents subject to this order at trial (including pretrial proceedings), or on appeal therefrom, provided that the appropriate evidentiary basis can be established.

3. At the conclusion of this litigation and any appeals therefrom, any and all copies of the documents shall be destroyed.

4. The parties agree that this order is entered without prejudice, and that at any time while this action is pending, any party may move the court for relief from this protective order and/or amendment of the terms of this order for good cause shown.

DATED this 26th day of May, 2009.

**GERALD A. HORNE
Prosecuting Attorney**

BRESKIN, JOHNSON & TOWNSEND

/s/ _____
DONNA Y. MASUMOTO
Deputy Prosecuting Attorney
Attorney for Defendants
WSBA #19700

/s/ _____
DAVID E. BRESKIN
Attorney for Plaintiff
WSBA #10607

ORDER

The parties, having agreed to the terms of this Stipulated Protective Order Concerning IME Records, and the court finding the terms of this protective order to be reasonable and necessary for the just resolution of this litigation now, therefore,

IT IS HEREBY ORDERED that the parties adhere to the terms set forth above as if fully set forth herein.

DONE IN OPEN COURT this 29th day of May, 2009.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

**Approved as to Form, Notice of
Presentation Waived:**

**GERALD A. HORNE
Prosecuting Attorney**

BRESKIN, JOHNSON & TOWNSEND

/s/ _____
DONNA Y. MASUMOTO
Deputy Prosecuting Attorney
Attorney for Defendants
WSBA #19700

/s/ _____
DAVID E. BRESKIN
Attorney for Plaintiff
WSBA #10607